IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.11982 OF 2004

Dated: August 22, 2007

Between:

Vishal Bhaiya (Minor) S/o. Kishan Bhaiya,
Aged about 15 years, Student, rep. by his
Natural mother and Guardian Smt. Kausalya Bai,
W/o. Kishan Bhaiya, R/o.H.No.3-4-266/E,
Kachiguda, Hyderabad.

… Petitioner

And

A.P. Transmission Corpn. Ltd., A.P. Transco,
Rep. by Assistant Divisional Engineer,
Dist.XXIII, City-1, Gunfoundry, Hyderabad.

… Respondent

Order:

This writ petition has been filed seeking direction to the respondent not to disconnect power supply to the shop of the petitioner bearing Shop No.7, in 'C' Block on lower ground floor of Sattar Complex, part of premises bearing M.No.4-1-834, Palace Compound,

Abids, Hyderabad.

2. I have heard learned counsel for the petitioner and Mr. V. Ajay Kumar, learned Standing Counsel appearing on behalf of the respondent.

3. In the affidavit filed in support of the writ petition, it is stated that petitioner is the owner of commercial space admeasuring 392 Sq. ft., along with an undivided share in the land admeasuring 6. Sq. yards in the aforesaid premises. It is stated that petitioner has obtained temporary power connection under commercial category vide P.R.No. CNPR 55456 dated 22-05-2004 to his shop, in which he is running *Paan and Chat Bhandar* business, and has been consuming electricity by paying necessary charges. The grievance of the petitioner is that though presently he is the owner of the premises in question, respondent is insisting for payment of arrears of the previous owner of the entire premises, namely, M/s. Ahmed Ice & Aerated Water Factory, Palace Talkies Compound.

4. Respondent has filed counter affidavit stating that petitioner has made an application for grant of service connection and as per the need of the petitioner, temporary service connection was sanctioned to him for a period of 45 days.

5. This court, while admitting the writ petition, by order dated 14-07-2004, in WPMP No.26232 directed the respondent not to disconnect the temporary service connection sanctioned to the petitioner, pending further orders. It is stated that pursuant to the said order, power supply is being continued to the petitioner.

6. As much as it is stated in the counter affidavit that service connection given to the petitioner is only temporary and petitioner has

not made any application for permanent connection, I dispose of the writ petition permitting the petitioner to make an application to the respondent for grant of service connection on regular basis, by paying requisite charges, within a period of four weeks from the date of receipt of this order. On such application being made, respondent shall consider the same in accordance with the terms and conditions of supply and under the provisions of the Electricity Act, 2003 and pass appropriate orders. Till such time, power supply shall be continued to the petitioner on his paying applicable consumption charges. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

August 22, 2007
MRR